

**LEGISLATIVE SERVICES AGENCY
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FISCAL IMPACT STATEMENT

LS 6618

BILL NUMBER: SB 168

NOTE PREPARED: Feb 21, 2006

BILL AMENDED: Feb 16, 2006

SUBJECT: Case Referrals to Attorney General.

FIRST AUTHOR: Sen. Miller

FIRST SPONSOR: Rep. Foley

BILL STATUS: 2nd Reading - 2nd House

FUNDS AFFECTED: **GENERAL**
 DEDICATED
 FEDERAL

IMPACT: No Fiscal Impact

Summary of Legislation: (Amended) This bill specifies that a prosecuting attorney may refer a case involving abuse or neglect of a Medicaid patient, in addition to Medicaid fraud, to the Attorney General for prosecution.

The bill also provides that, for purposes of the law concerning credit services organizations: (1) the definition of "credit services organization" includes a person that sells the service of obtaining a delay or forbearance of a buyer's obligation under a mortgage; (2) the definition of "extension of credit" includes the right to delay or avoid foreclosure on a buyer's mortgage; (3) it is a deceptive act to take power of attorney from a buyer for any purpose other than inspecting documents as provided by law; and (4) a credit service organization must obtain a surety bond in the amount of \$25,000 instead of \$10,000 before doing business in Indiana.

Effective Date: July 1, 2006.

Explanation of State Expenditures: (Revised) This bill allows a prosecuting attorney to refer a case involving abuse or neglect of a Medicaid patient to the Attorney General. P.L.73-2003 gave the state Medicaid Fraud Control Unit the authority to investigate Medicaid fraud, misappropriation of a Medicaid patient's private funds, abuse and neglect of Medicaid patients and patients in board and care facilities in accordance with federal law. The Attorney General's office reports that prosecuting attorneys currently forward abuse and neglect of a Medicaid patient to their office.

The bill also allows the Attorney General's office to prosecute an entity for taking a power of attorney from a buyer for any purpose other than inspecting documents as provided by law. The Attorney General's office reports that the Attorney General's office currently does so.

The bill makes statute conform to current practice. There should be no fiscal impact as a result.

Explanation of State Revenues:

Explanation of Local Expenditures:

Explanation of Local Revenues:

State Agencies Affected: Attorney General.

Local Agencies Affected:

Information Sources: Attorney General.

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